



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Application of: Thomas, Lawrence J.
Serial No.: 09/845,511
Filed: April 30, 2001
Entitled: PLASMID-BASED VACCINE FOR
TREATING ATHEROSCLEROSIS

Examiner: Nguyen, Dave T.

Art Unit: 1632

Continuation of U.S. Appl. Ser. No. 09/171,969

Attorney Docket No.: TCS-414.2P US-1

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**RESUBMISSION OF
INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.56, 1.97 AND 1.98**

Dear Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicants submit this Information Disclosure Statement pursuant to 37 C.F.R. §§ 1.97 and 1.98 in the above-identified application for consideration by the Patent Office. A listing of the cited documents is also enclosed, as well as, for the Examiner's convenience, copies of the documents in the list. **This Statement was previously submitted before the first Office Action on the merits pursuant to 37 C.F.R. § 1.97(b)(3). A copy of that prior submission is attached (Tab A) along with a copy of the return receipt postcard (Tab B). Accordingly, Applicants believe that no fee is required for this submission.**

US Patents

US 5,242,687; issued September 7, 1993, Tykocinski et al.;

US 5,338,829; issued August 16, 1994, Weiner et al.; and

US 5,705,388; issued January 6, 1998, Couture et al.

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EP 0343460 A2 published November 29, 1989, Sinigaglia;

WO 90 15627 published December 27, 1990, Arlinghaus et al.;

WO 92 10203 published June 25, 1992, Swartz;

WO 93 11782 published June 24, 1993, Kushwaha et al.;

WO 93 23076 published November 25, 1993, Cheronis;

WO 94 24567 published October 27, 1994, Brocia et al.;

WO 94 25060 published November 10, 1994, Ladd et al.; and

WO 96 39168 published December 12, 1996, Kwoh et al.

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Yen et al., *J. Clin. Invest.*, 83: 2018-2024 (1989);

Zannis et al., "Genetic mutations affecting human lipoproteins, their receptors, and their enzymes". In Advances in Human Genetics, Vol. 21, pp. 145-319 (Plenum Press, New York, 1993);

Zegers et al., *Eur. J. Immunol.*, 23: 630-634 (1993); and

Zhang et al., *Cell*, 1: 751-761 (1994).

Applicants do not intend to represent that any of the documents submitted herein is material prior art to this invention or that the list represents an exhaustive search of documents related to this invention.

Applicants respectfully request that the documents submitted herein be considered and made of record in this application.

Respectfully submitted,



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Leon R. Yankwich, Esq., Reg. No. 30.237
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, postage prepaid, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

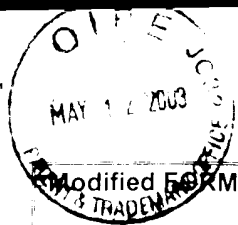
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Michael R. Wesolowski



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LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	APPLICANT Thomas, Lawrence J.	
(Use several sheets if necessary)	FILING DATE April 30, 2001	GROUP 1632

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REFERENCE DESIGNATION U.S. PATENT DOCUMENTS

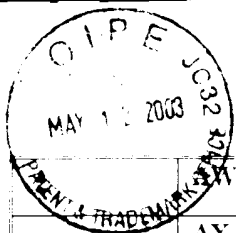
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
AA	US 5,242,687	09/07/93	Tykocinski et al.			
AB	US 5,338,829	08/16/94	Weiner et al.			
AC	US 5,705,388	01/06/98	Couture et al.			

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	TRANSLATION YES NO	
AD	EP 0343460 A2	11/29/89	Sinigaglia				
AE	WO 90/15627	12/27/90	Arlinghaus et al.				
AF	WO 92/10203	06/25/92	Swartz et al.				
AG	WO 93/11782	06/24/93	Kushwaha et al.				
AH	WO 93/23076	11/25/93	Cheronis				
AI	WO 94/24567	10/27/94	Brocia et al.				
AJ	WO 94/25060	11/10/94	Ladd et al.				
AK	WO 96/39168	12/12/96	Kwoh et al.				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

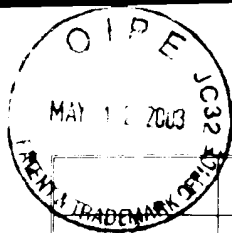
AL	Ada, G.L., <i>Fundamental Immunology</i> , 3rd ed., pp. 1309 - 1352 (W. E. Paul, ed.) (Raven Press, Ltd., New York, 1993)
AM	Agellon, L.B. et al., <i>J. Biol. Chem.</i> , 266: 10796 - 10801 (1991)
AN	Aitken, R.J. et al., <i>Brit. Med. Bull.</i> , 49: 88 - 99 (1993)
AO	Albers et al., <i>Arteriosclerosis</i> , 4: 49-58 (1984)
AP	Alexander et al., <i>Immunity</i> , 1: 751-761 (1994)
AQ	Barter et al., <i>J. Lipid Res.</i> , 21: 238-249 (1980)
AR	Bevilacqua et al., <i>J. Clin. Invest.</i> , 91: 379-387 (1993)
AS	Bisgaier et al., <i>J. Lipid Res.</i> , 32: 21-23 (1991)
AT	Bisgaier et al., <i>J. Lipid Res.</i> , 34: 1625-1634 (1993)
AU	Breslow et al., <i>Proc. Natl. Acad. Sci. USA</i> , 90: 8314-8318 (1993)
AV	Brown et al., <i>Nature</i> , 342: 448-451 (1989)



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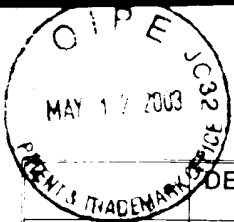
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	AX	Casali et al., <i>Science</i> , 234: 476-479 (1986)
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	AZ	<u>Current Protocols in Immunology</u> , pp. 3.11.1 - 3.11.15, 3.12.1 - 3.12.14 (Coligan, J.E. et al., eds.) (John Wiley & Sons, New York, 1994):
	BA	Drayna et al., <i>Nature</i> , 327: 632-634 (1987)
	BB	Eldridge et al., in <u>Immunobiology of Proteins and Peptides V: Vaccines: Mechanisms, Design, and Applications</u> , Atassi, M.Z., ed. (Plenum Press, New York, 1989), pp. 191-202
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	BE	Etlinger, H., <i>Immunol. Today</i> , 13: 52-55 (1992)
	BF	Farmer, J.A. et al., <u>Heart Disease. A Textbook of Cardiovascular Medicine</u> , 4th ed., pp. 1125 - 1160 (Braunwald, E., ed.) (W. B. Saunders Co., Philadelphia, 1992)
	BG	Fielding et al., <i>J. Lipid Res.</i> , 36: 211-228 (1995)
	BH	Gavish et al., <i>J. Lipid Res.</i> , 28: 257-267 (1987)
	BI	Gaynor et al., <i>Atherosclerosis</i> , 110: 101-109 (1994)
	BJ	<i>Genetic Engineering News</i> , 14: 44 (August 1994)
	BK	Gordon et al., <i>N. Engl. J. Med.</i> , 321: 1311-1316 (1989)
	BL	Groener, J.F.M. et al., <i>Biochim. Biophys. Acta</i> , 1002: 93 - 100 (1989)
	BM	Green et al., <i>Cell</i> , 28: 477-487 (1982)
	BN	Ha et al., <i>Biochim. Biophys. Acta</i> , 833: 203-211 (1985)
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	BP	Havel et al., "Introduction: Structure and metabolism of plasma lipoproteins". In <u>The Metabolic Basis of Inherited Disease</u> , 6th ed., pp. 1129-1138 (Scriver, et al., eds.) (McGraw-Hill, Inc., New York, 1989)
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	BW	Jarnagin et al., <i>Proc. Natl. Acad. Sci. USA</i> , 84: 1854-1857 (1987)
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CB	Kotake et al., <i>J. Lipid Res.</i> , 37: 599-605 (1996)
CC	Kushwaha et al., <i>J. Lipid Res.</i> , 34: 1285-1297 (1993)
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CE	Madden et al., <i>Ann. Rev. Immunol.</i> , 13: 587-622 (1995)
CF	Mader, S.S., In <i>Human Biology</i> , 4th ed., pp. 83, 102 (Wm. C. Brown Publishers, Dubuque, Iowa, 1995)
CG	Marguerite et al., <i>Mol. Immunol.</i> , 29: 793-800 (1992)
CH	Marotti et al., <i>Nature</i> , 364: 73-75 (1993)
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CQ	Pruitt et al., <i>J. Surg. Res.</i> , 50: 350-355 (1991);
CR	Pruitt et al., <i>Transplantation</i> , 52: 868-873 (1991)
CS	Quig et al., <i>Ann. Rev. Nutr.</i> , 10: 169-193 (1990)
CT	Quinet et al., <i>J. Clin. Invest.</i> , 85: 357-363 (1990)
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CV	Rosen et al., <i>J. Immunol. Methods</i> , 172: 135-137 (1994)
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DA	Swenson et al., <i>J. Biol. Chem.</i> , 263: 5150-5157 (1988)
DB	Swenson et al., <i>J. Biol. Chem.</i> , 264: 14318-14326 (1989)
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DD	Tall, A.R., <i>J. Lipid Res.</i> , 34: 1255-1274 (1993)



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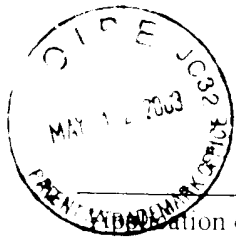
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DE	Tall, A.R., <i>J. Internal Med.</i> , 237: 5-12 (1995)
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DK	Travis, <i>Science</i> , 262: 1974-1975 (1993)
DL	Valmori et al., <i>J. Immunol.</i> , 149: 717-721 (1992)
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DV	Yeh et al., <i>J. Immunol.</i> , 146: 250-256 (1991)
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DY	Zegers et al., <i>Eur. J. Immunol.</i> , 23: 630-634 (1993)
DZ	Zhang et al., <i>Cell</i> , 1: 751-761 (1994)

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP §609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

TAB A



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED
MAY 11 2003
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Inventor of: Thomas, Lawrence J.
Serial No.: 09/845,511
Filed: April 30, 2001
Entitled PLASMID-BASED VACCINE FOR
TREATING ATHEROSCLEROSIS

Examiner: not yet assigned

Art Unit: 1614

Attorney Docket No.: TCS-414.2P US-1

Assistant Commissioner for Patents
Washington, D.C. 20231

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.56, 1.97 AND 1.98**

Dear Sir:

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Foreign Patent Applications

EPO, Publication No. EP 0343460 A2. Publication Date 29 November 1989.
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PCT, Publication No. WO 92/10203. Publication Date 25 June 1992.
PCT, Publication No. WO 93/11782. Publication Date 24 June 1993.
PCT, Publication No. WO 93/23076. Publication Date 25 November 1993.
PCT, Publication No. WO 94/24567. Publication Date 27 October 1994.
PCT, Publication No. WO 94/25060. Publication Date 10 November 1994.
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Applicants do not intend to represent that any of the documents submitted herein is material prior art to this invention or that the list represents an exhaustive search of documents related to this invention.

Applicants respectfully request that the documents submitted herein be considered and made of record in this application.

Respectfully submitted,



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Stephanie L. Leicht



Modified FORM PTO-1449	ATTY. DOCKET NO. TCS-414.2P US-1	SERIAL NO. 09/845,511
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	APPLICANT Thomas, Lawrence J.	
(Use several sheets if necessary)	FILING DATE April 30, 2001	GROUP (not yet assigned)

REFERENCE DESIGNATION U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
AA	US 5,242,687	09/07/93	Tykocinski et al.			
AB	US 5,338,829	08/16/94	Weiner et al.			
AC	US 5,705,388	01/06/98	Couture et al.			

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	AD	EP 0 343 460 A2	11/29/89		C07K	7/08		
	AE	WO 90/15627	12/27/90		A61K	47/48		
	AF	WO 92/10203	06/25/92		A61K	37/22		
	AG	WO 93/11782	06/24/93		A61K	37/00		
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OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

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	AM	Agellon et al., <i>J. Biol. Chem.</i> , 266: 10796 - 10801 (1991)
	AN	Aitken et al., <i>Brit. Med. Bull.</i> , 49: 88 - 99 (1993)
	AO	Albers et al., <i>Arteriosclerosis</i> , 4: 49-58 (1984)
	AP	Alexander et al., <i>Immunity</i> , 1: 751-761 (1994)
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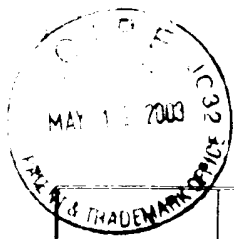
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AQ	Barter et al., <i>J. Lipid Res.</i> , 21:238-249 (1980)
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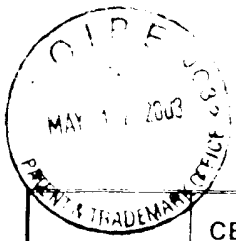
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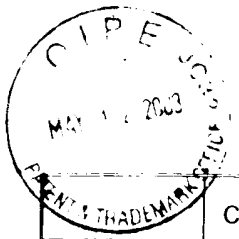


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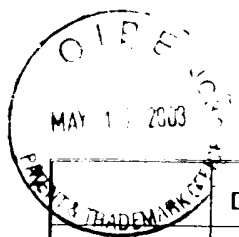
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	DC	Sad et al., <i>Immunol.</i> , 76: 599-603 (1992)
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	DJ	Tall, <i>J. Internal Med.</i> , 237: 5-12 (1995)
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	DP	Travis, <i>Science</i> , 262: 1974-1975 (1993)
	DQ	Valmori et al., <i>J. Immunol.</i> , 149: 717-721 (1992)
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TAB B

Case No. ICS-414 2P US-1
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Applicants: Thomas

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